

	<p style="text-align: center;">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER in consultation with the Chairman of the Adults and Safeguarding Committee</p>
<p style="text-align: center;">Title</p>	<p style="text-align: center;">Contract Award for Care and Support Services at Wood Court Extra Care Scheme</p>
<p style="text-align: center;">Report of</p>	<p>Strategic Director of Adults, Communities & Health Director of Adult Social Services</p>
<p style="text-align: center;">Wards</p>	<p>Burnt Oak</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>None</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Caroline Glover, Health and Social Care Commissioner Caroline.glover@barnet.gov.uk Sabrina Naqvi, Procurement Manager, 020 83259 7090; Sabrina.Naqvi@barnet.gov.uk</p>

Summary

The care and support service at Wood Court Extra Care Scheme (“the Services”) described in this report were procured in accordance with the commissioning plans and strategy outlined in the reports to the Adults and Safeguarding Committee of 19 March 2015 and 6 March 2017 referred to in this report. The Policy and Resources Committee approved the procurement of the Services within the Council’s Annual Procurement Forward Plan for 2018-2019 on 5 December 2017.

The Services were put out to Tender on 8 October 2018. Following the procurement process, it is recommended the contract is awarded to Metropolitan Thames Valley. The contract term is for four (4) years with the option to extend for a further period(s) of up to one (1) year, subject to satisfactory performance of the Agreement and available budget.

Decisions

1. To award the care and support services for Wood Court Extra Care Scheme contract to Metropolitan Thames Valley for a period of four (4) years from 1st June 2019 (with the option to extend for an additional period(s) of up to one (1) year).

1. WHY THIS REPORT IS NEEDED

- 1.1 The Policy and Resources Committee agreed the Annual Procurement Forward Plan on 5 December 2017 which includes authorisation for Adults and Communities to procure Accommodation and Support Services.
- 1.2 Wood Court is a purpose built extra care housing scheme in Burnt Oak which opened in 2008. Capital funding for the site was provided by the Housing Corporation, with revenue funding from both Adult Social Services and the Supporting People Programme. The land on which Wood Court was built was transferred by the Council to Catalyst Housing (the landlord) at nil value for the development of a block of 39 extra care sheltered housing units to which the Council has 100% nomination rights. Catalyst owns the building and provides the housing management. Metropolitan Thames Valley (Metropolitan) provide the care and support services at Wood Court.
- 1.3 The current contract for the provision of care and support services to the residents of Wood Court Extra Care Scheme is with Metropolitan and is due to expire on 31 May 2019.
- 1.4 By way of policy background to the procurement:
 - (a) The Adults and Safeguarding Committee of 10 November 2016 notes that extra care homes are a popular and cost-effective alternative to residential care and that extra care housing is included within a number of the Council's plans as a method of achieving savings by diversifying the Council's housing offer for individuals eligible for care and support. The paper presents evidence on how increasing Barnet's supply of extra care homes will benefit individuals and the Council and provides details of the financial and non-financial benefits of the Council's proposed expansion of extra care housing in the borough.
 - (b) The Barnet Housing Strategy (2015-2025) identifies the need for the borough to secure new types of housing for Barnet's older population and working age adults with additional needs. One of the areas identified for expansion is the provision of extra care housing.
 - (c) National policy has placed an increasing emphasis on making sure that local government and the NHS provide the right early support to help people stay in their own homes within a local community. Taking the right steps to avoid institutional care settings for the most vulnerable residents is an overarching theme of national policy in this area.
 - **The Care Act (2014):** sets out a vision for a reformed care and support system. The Act gives the Council responsibility for making sure that people

have more control over their care through effective care and support planning and personalisation.

- **Better Care Fund:** requires local areas to work across health and social care boundaries to reduce the numbers of elderly and frail people who have unplanned admissions to hospital and residential care. It also places an expectation on local areas to reduce the numbers of people who are delayed whilst being discharged from hospital.

2. REASONS FOR RECOMMENDATIONS

- 2.1 It is expected that the re-commissioning of care and support services at Wood Court set out in this report will support the Council to achieve the following outcomes:
- To promote integrated communities, where there is a supply of good housing choices for older people; and
 - To support people to remain in their own homes, to maintain high standards of independent living for longer, to avoid social isolation and to prevent and reduce the use of high-cost residential placements at a later stage in life.
- 2.2 The priority focus of the procurement was to build on the success delivered by the current services and to focus on providing flexible, person-centred services that create an inclusive and vibrant community in which residents/service users can thrive.
- 2.3 The service was put out to Tender on 8 October 2018. It was advertised on the Council's E-Sourcing Portal, on Contracts Finder and- in the Official Journal of the European Union (OJEU).
- 2.4 Organisations were invited to submit a Tender identifying their organisational experience and how they would meet the requirements of the specification. The closing date was 12 November 2018. There were 35 expressions of interest. Three compliant bids were received.
- 2.5 A Panel comprising of representatives from the Commissioning Group and Adults and Communities' Delivery Unit undertook the evaluation for the tender. Service users from Wood Court were invited to take part in the tender evaluation, but no service users chose to participate.
- 2.6 In order to ensure that the full range of Council priorities and service user support needs were taken into account by bidders, priorities were built into and referenced in the Specification.
- 2.7 A Procurement Manager guided the procurement process and supervised the evaluation process but did not score the bids.
- 2.8 The procurement approach used for this Tender was based on the Open Tender Process to ensure value for money.
- 2.9 As the services procured fall within Schedule 3 of the Procurement Regulations 2015 (Social and Other Specific Services) the flexibilities in the procurement process offered up by the Light Touch Regime in the Public Contract Regulations 2015 have been

utilised. A compliant procurement process was followed throughout according to the Procurement Regulations 2015 and the Council's Contract Procedure Rules.

- 2.10 Submissions from Suppliers who passed the Selection Questionnaire stage were subsequently evaluated individually by the Evaluation Panel members.
- 2.11 The Evaluation Panel Members met on 22 November 2018 to moderate the Method Statement questions. Bidders/suppliers who scored above the quality threshold were invited to interview. Interviews were held on 3 December, after which the evaluation panel members met on 12 December 2018 to moderate the interview questions and review overall quality and prices scores.
- 2.12 The Tender evaluation was based on 70% quality and 30% price. The quality award criteria for the Tender was as per table 2. The Council did not bind itself to accept the lowest tender, or indeed any Tender, but looked for the most economically advantageous proposals based on the following evaluation stages:
- (a) Stage 1 - Submission on Time & Acceptance of T&C's: Tenders needed to be submitted through the Council's E-Sourcing Portal, 'Curtis Fitch' by no later than 12 November 2018. Bidders needed to confirm acceptance of the terms and conditions of the contract (subject to acceptance by the Authority of any amendments proposed during clarifications) according to the Declaration by Tenderer.
 - (b) Stage 2 - Compliance Evaluation: Bidders needed to submit a Selection Questionnaire. The selection questionnaire is a declaration by the supplier of their eligibility to deliver the service they have tendered for. Any questionnaire responses that failed Stage 2 would not have been considered further.
 - (c) Stage 3 – Method Statement and Interview Questions: Tender evaluation was based on 70% Quality. For this tender, quality was broken down by sub-criteria and measured through responses to method statement questions, including on social value, and via interview questions.

Table 1

Area	Quality Weighting	Overall Weighting
Method Statement Questions	80%	56%
Interview Questions	20%	14%
Total	100%	70%

- (d) Stage 4 – Price Evaluation: Tender evaluation was based on 30% price. The Council set a ceiling price of £15.49 per hour for all bids. Tender bids therefore needed to be equal to or below £15.49 per hour or else would automatically be disqualified. The bid price is valid throughout the life of the contract including

any extension(s).

Quality

- 2.13 Bidders who scored 0 out of the available 5 marks for any of the 8 Method Statement questions, or who achieved less than 60% of the 100% available for the Method Statement Questions would fail and would not proceed further. The two bidders who passed this stage were invited to interview.
- 2.14 Bidders who scored 0 out of the available 5 marks for any of the 4 interview questions, or who achieved less than 40% of the 100% available for the Interview questions would fail and would not proceed further.

2.15 Scoring

The following scoring scale was applied to Method Statement responses and Interview Questions:

Table 2

SCORING SCALE	
Score	Performance Commentary
0	Unacceptable
1	Poor
2	Adequate
3	Good
4	Very Good
5	Excellent

2.16 Pricing

2.17 Price was worth 30% of the evaluation weighting.

2.18 The Tender required that Bidders put forward an hourly bid price below or equal to £15.49 per hour. Any bids above £15.49 per hour were automatically disqualified from the tender. The evaluation method ensured that the lowest price achieved the maximum available marks, with other Bidders scores calculated proportionately.

2.19 Overall Scores

2.20 Based on the on the evaluation criteria detailed above the scores were as follows:

	Scoring Criteria	Bidder A: Preferred Bidder - Metropolitan	Bidder B	Bidder C

Quality Score	Method Statement Question	93.00%	60.00%	Failed
	Interview	90.00%	60.00%	Not considered further
	Raw Quality Score (out of 100%)	92.40%	60.00%	
	Weighting Quality Score (out of 70%)	64.68%	42.00	
Price Score	Raw Price Score (out of 100%)	100.00%	100.00%	
	Weighting Price Score (out of 30%)	30.00%	30.00%	
Total Weighted Score		94.68	72.00	
Ranking		1	2	Disqualified

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

4.1 If the Decision recommended in this Report is approved, the Bidders will be notified as to the outcome of the Tender.

4.2 A Contract Award Notice will be placed in the Official Journal of the European Union.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 This contract will form part of the Council's statutory duties under the Care Act 2014 including duties in regards to promoting wellbeing and prevention.

5.1.2 As detailed in the Adults and Safeguarding Commissioning Plan, 2016 –2020 and the 2017/18 Addendum:

- Fairness in adult social care means that services respond to the needs of diverse communities. It means ensuring that older and disabled people, including adult social care service users and their carers, are able to participate in community life just as

other residents can and that services provided by the Council are accessible and welcoming to older and disabled people, adult social carer service users and carers irrespective of their particular cultural needs.

- Responsibility in adult social care means that services will work with older and disabled people to remain as independent and self-reliant as possible, it means that social workers will always focus on what people can do, not on dependency, and will work with service users, and carers, to find ways to help them support themselves, using community resources and the support of their family and friends and that social workers will work to ensure that people are able to move back to living independent lives as quickly as possible, ensuring a timely response to changing needs.
- Opportunity in adult social care means that disabled people have the right to work as much as any other Barnet resident. The Council's services will actively support adult social care service users to access employment and volunteering opportunities, it means ensuring people can stay living in their own homes for as long as possible and avoid residential care as much as possible and that Council services will actively support carers to play a full part in their communities, accessing services and opportunities for employment and training.

5.1.3 Barnet's Joint Health and Wellbeing Strategy (2015–2020) includes the overarching aims of "Keeping Well" and "Promoting Independence". The recommissioning of the care and support service at Wood Court clearly supports some of the key priorities in the Health and Wellbeing Strategy such as improving wellbeing for all and care when needed.

5.1.4 The contract with the Supplier will be robustly monitored and reviewed including their performance through key performance measures and outcome indicators.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

Finance & Value for Money

5.2.1 In 2018/19 the total annual financial forecast spend for extra care provision in Barnet was £1,085,594 of which £447,578 was forecast to be spent on care and support services at Wood Court.

5.2.2 The cost of Care and Support services at Wood Court is funded from the Adult Social Care base budget and there is ongoing budget provision for this scheme within the Adult Social Care Budget.

5.2.3 The Adult Social Care Recovery Plan 2018/19 that went to Adults and Safeguarding Committee on 20 September 2018/19 identified savings of £14.09m between 2019 and 2024 from the Adult Social Care Budget. The priority focus will be reducing demand for Adult Social Care Services. The re-commissioning of Care and Support services at Wood Court will support the Council to prevent and reduce the use of high cost residential placements at a later stage in life.

5.2.4 Regular financial monitoring forms part of the contract, as does working within the ethos of continuous service improvement. The Provider will be required to evidence key performance indicators that will form part of performance monitoring and contract monitoring which will take place on a quarterly basis.

5.2.5 Staffing

5.2.6 TUPE applies to this tender. TUPE information was released as part of the tender pack. The tender documentation informed the Bidders that they should take into account (amongst other things) the following requirements of TUPE:

- the need to consult with a recognised trade union and employees' representatives;
- the need to maintain existing rates of pay and conditions of employment unless there is an economic, technical or organisational reason for change; and
- the need for a successful Bidder to accept liability in respect of claims for redundancy, unfair dismissal and all other claims related to any breach by a Bidder of TUPE obligations.

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

5.3.2 The specification for this Service included a social value section. One of the tender questions required bidders to set-out what they would do to provide social value as part of their delivery of the Service.

5.4 Legal and Constitutional References

5.4.1 The services delivered under this contract are subject to the 'Light Touch Regime' under Regulations 74 to 76 of the Public Contracts Regulations 2015.

5.4.2 HB Public Law drafted contract terms and conditions based on instructions received prior to tender. The Tender process was as advised by the Procurement Manager at the London Borough of Barnet.

5.4.3 HB Public Law will complete the Contract with the successful Provider on the basis of those terms tendered and agreed during the Tender process.

5.4.4 Where a Contract is within Budget, the Council's Constitution Article 10 - Table B Para D (Contract Procedure Rules – March 2018) authorises the award of a Contract, which has received prior authorisation through the Annual Procurement Forward Plan, P&R Committee by an authorised Chief Officer in consultation with Chairman of relevant theme Committee.

5.5 Risk Management

5.5.1 The award of the Contract is unlikely to raise any public concern as the Service is already in operation and there will be minimal change for existing service users.

- 5.5.2 As part of the Tender, Bidders were required to identify that they had the necessary capacity to complete key mobilisation activity ahead of the contract commencing and to ensure a smooth transition when the current contractual arrangements expire.
- 5.5.3 Risks of non-delivery will be managed by developing a strategic relationship with the provider in relation to the contract and robust contract monitoring.
- 5.5.4 Risks associated with the procurement process were mitigated by ensuring that provision of support services will be consistent with budget resources.
- 5.5.5 The risk that the new services and contract will not provide value for money has been mitigated by designing the service specification to reflect best practice. Furthermore, only providers that identified that they had three years' experience of providing care and support services in an extra care setting and who had a CQC rating of good or above were able to bid for this service. To help ensure the quality of the service, the tender had a 70% quality and 30% pricing.

5.6 Equalities and Diversity

- 5.6.1 The core provisions of the Equality Act 2010 came into force on 1st October 2010 and the public sector equality duty (section 149 of the Act) came into force on 5th April 2011. Under section 149, the Council must have due regard to the need to eliminate discrimination, harassment and victimisation prohibited under the Act and to advance equality for opportunity and foster good relations between those with protected characteristics and those without.
- 5.6.2 The protected characteristics are age; disability; race; gender reassignment; pregnancy and maternity; religion or belief; sex; and sexual orientation. They also cover marriage and civil partnership with regard to eliminating discrimination.
- 5.6.3 Any organisation providing public sector services is subject to scrutiny by the Council to ensure that delivery complies with the public sector equality duty.
- 5.6.4 The contract for the recommissioned new services includes explicit requirements fully covering the Council's duties under equalities legislation and the specification requires that hard to reach groups are to be identified and have the opportunity to receive the services.
- 5.6.5 The Equality Impact Analysis undertaken for this Tender found that there will be no negative impact because the services will continue to be delivered within the budget envelope specified and there is no reduction in service anticipated.
- 5.6.6 Further equality-specific measures may be developed as the contract progresses to ensure that the organisation acts in keeping with the Council's public sector equality duty.

5.7 Corporate Parenting

- 5.7.1 N/A

5.8 Consultation and Engagement

- 5.8.1 The specification has been developed by a cross-directorate project group and informed by the finding of engagement that the Council did with a range of stakeholders (including carers and extra care service users in Barnet) between October 2015 and January 2016 into good practice in the provision of care and support in extra care housing schemes.
- 5.8.2 The Council worked with the landlord and the current care and support provider to develop a fact sheet of frequently asked questions for residents to provide them with information about the tender process. Representatives from the Joint Commissioning Unit and Procurement attended a Wood Court residents' forum on 23rd August to provide residents with information about the procurement, to provide reassurance that the tender would not have an impact on their tenancy or the number of their care and support hours and to answer any questions they might have about the process.
- 5.8.3 Wood Court service users were invited to take part on the interview panel for the tender; no service users chose to take part.

5.9 Insight

- 5.9.1 N/A

6. BACKGROUND PAPERS

- 6.1 Appendix 1 of the Annual Procurement Forward Plan (agenda Item 11, appendix line 181) for 2018/2019 presented to the Policy and Resources Committee on 5 December 2017 which provided approval for the procurement of Accommodation and Support.
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8739&Ver=4>
- 6.2 Update on extra care procurement (agenda Item 15), presented to Policy and Resources Committee 23 October 2018 which provided an update on procurement activity.
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=9459&Ver=4>
- 6.3 Extension of extra care contract for provision of care and support (agenda Item 11), presented to Policy and Resources Committee on 13 February 2018
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8742&Ver=4>
- 6.4 Extension of Extra Care Services, Adults and Safeguarding Committee, 10 November 2016 (agenda Item 9)
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=698&MId=8674&Ver=4>

Chairman:
Has been consulted

Signed

29 January 2019
Date

Chief Officer:
Decision maker having taken into account the views of the Chairman

Signed

Date
11 February 2019